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PATENTAX®

October 6, 2005

Box AF
Commissioner of Patents & Trademarks
P.O. Box 1450, Alexandria, VA 22313-1450

PATENT
Docket No: 13364 Stat
Date: October 6, 2005

Dear Sir,

Accompanying this letter is an office action relating to the **utility** patent application of Patko, Burnam, Tam and Dabney for **PORTABLE CO-OXIMETER**, 09/752,502 The action consisting of: (1) 8 pages of response, (2) cover letter, & (3) an acknowledgement Post card. dkt: 13364-STAT. By regular mail and fax.

This amendment is submitted in response to an office action communication received on 07/07/2005. Accordingly, this document is

 X timely;

 late by 2 month. If late, enclosed is a check for \$ 00.00 in payment of the extension fee pursuant to 37 C.F.A. section 1.17.

The response:

 XX does not add claims requiring payment of an additional fee;

 does add claims requiring payment of an additional fee, which fee is calculated below.

The additional fees have been calculated as follows:

Excess Claims Fees

	Number <u>current</u>	Number <u>previous</u>	Rate			
Total <u>claims:</u>	23	- 52	= 0	x \$ 25	=	\$ 0

Independent <u>claims:</u>	2	- 5	= 0	x \$100	=	\$ 0
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\$ 0

Should any additional fee be required or should any excess fee be paid, please charge or credit such amounts to charge account no. 08-0765.

Respectfully,



Curt Harrington
Reg. No. 31,456

Enclosures 1. Acknowledgment postcard
 2. Amendment (8 pages)



UNITED STATES DEPARTMENT OF COMMERCE

PATENT AND TRADEMARK OFFICE

App. No: 09/752,502) Confirmation: 9486
Inventors: Martin J. Patko)
Michael H. Burnam)
Lisa A. Tam)
James H. Dabney)
Filing Date: December 28, 2000)
TC/A.U.: 1743)
Docket: 13364)
EXAMINER: Cole, Monique)
Title:)
PORTABLE CO-OXIMETER) Ph: (571) 272-1255
) Fax: (703) 273-8300

BOX AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action of July 07, 2005, please
amend the above-identified application as follows:

Amendments to the Specification: N/A

Amendments to the Claims: Pages 2 - 7

Amendments to the Drawings: N/A

Remarks/Arguments begin & end on page 8 of this paper.

Appendix: N/A